

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

FRANK J. VOTTA	)	
LYNN E. VOTTA	)	
	)	
Plaintiffs,	)	
	)	C.A. 05-11133-WGY
v.	)	
	)	
AMERIPATH MORTGAGE CO.	)	
Defendant.	)	

**ANSWER TO DEFENDANT'S AMENDED COUNTERCLAIM**

Plaintiffs Frank J. Votta and Lynn E. Votta by and through their counsel , Christopher M. Lefebvre, hereby answer the Counterclaim filed by the Defendant Ameripath Mortgage Co. (Defendant), and state:

1. Plaintiffs admit the allegations set forth in paragraphs 1, 2, 3, 4 and 8 of the Defendant's Counterclaim.

2. Plaintiffs deny the allegations set forth in paragraphs 5, 6 and 9 of the Defendant's Counterclaim.

3. The remainder of the Defendant's Counterclaim is a prayer for relief to which Plaintiffs are not required to respond. To the extent that a further response may be required, Plaintiffs pray that the Defendant's Counterclaim be dismissed with prejudice and that the Court enter a judgment in favor of Plaintiffs on all counts of the Amended Complaint, that Plaintiffs be awarded their costs and expenses including attorney's fees, and for such other relief as the Court deems proper.

WHEREFORE, Plaintiffs Frank J. Votta and Lynn E. Votta pray that the Court dismiss the Defendant's Ameripath Mortgage Co. Counterclaim.

Respectfully submitted,

/s/Christopher M. Lefebvre  
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**CERTIFICATION OF SERVICE**

I hereby certify that on September 2, 2005, I electronically filed an Answer to Defendant's Amended Counterclaim with the Clerk of the District Court for the District of Massachusetts using the CM/ECF System. The following participants have received notice electronically: R. Bruce Allensworth, Esq., and I hereby certify that I have mailed by United States Postal Service, postage pre-paid, the document and a copy of the Notice of Electronic Filing to the following non CM/ECF participants: None

/s/Maria J. Ferreira